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# ARNOLD & PORTER LLP

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December 6, 2004

Mail Stop Appeal Brief – Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Art Unit: 1631  
Examiner: J. Martinell  
Conf. No.: 8906

Re: U.S. Patent Application Serial No. 10/021,323 filed December 12, 2001  
Inventors: Jill DEIKMAN *et al.*  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Atty Dkt.: 16517.295

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Appellants' Reply Brief;
2. Request for Oral Hearing Before the Board of Patent Appeals and Interferences; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of \$300.00 for requesting oral hearing to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.295. A duplicate copy of this letter is enclosed.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Appellants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.295. A duplicate copy of this letter is enclosed.

Sincerely,

Thomas E. Holsten (Reg. No. 46,098)  
David R. Marsh (Reg. No. 41,408)

Enclosures